



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
JASPER COUNTY GOVERNMENT BLDG.
OCTOBER 19, 2015
MINUTES**

Officials Present: Chairwoman Barbara Clark, Vice Chairman L. Martin Sauls, IV, Councilman Theodus Drayton, Councilman D. Thomas Johnson

Officials absent: Councilman Henry Etheridge

Staff Present: Administrator Andrew Fulghum, Clerk to Council Judith Frank, Attorney David Tedder, Director of Administrative Services Ronnie Malphrus, Director of Emergency Services Wilbur Daley, Director of Engineering Services Dale Terry, Planning Director LeNolon Edge, Planning and Zoning Coordinator Lisa Lamb, Chief Building Inspector Leonard Martelli, Building Inspector Jeff Barker

In accordance with the Freedom of Information Act the electronic and print media were notified. During periods of discussion and/or presentations minutes are typically condensed and paraphrased.

Call to Order- Chairwoman Clark called the meeting to order at 3:30 p.m.

Workshop- Fire Plan, Capitol Projects Funding Alternatives, DSS – Mr. Fulghum told the Council that the properties going to the forfeit land commission have been reviewed as possible locations for government buildings. Mr. Fulghum said the he and the staff would review the properties annually. Mr. Fulghum said that Mr. Daley found a location for a new fire station and they were also looking for other locations and they were checking into grant funding opportunities. Mr. Daley discussed automatic aid with Hampton County and he is working with the administrator and they are on board with the program. Mr. Daley said they have mutual aid in place currently and they are changing to automatic aid which will affect the ISO ratings. Mr. Daley said he has not found any private roads that would be useful. Mr. Daley told the Council that the tanks at the stations have been a tremendous asset. Mr. Daley said the railroad tankers are horizontal and lessen the pressure. Mr. Daley said they would use them if they could get them and they would find a way to make them work. Mr. Daley said the fire contracts were up for renewal in 2014 and Hardeeville's attorney has the contract and they are ready to take care of it. Mr. Daley said that Levy has some issues and they were working on it and he was still waiting on that contract. Chairwoman Clark asked if Chief Graham had the contract and Mr. Daley said they have had the contract since June of last year. Chairwoman Clark said that Chief Graham has been waiting to hear back from Mr. Daley regarding the corrections that needed to be made. Mr. Daley said he would talk with Chief Graham again.

Councilman Drayton asked if the money was the same. Mr. Daley said Ridgeland gets \$205,000, Hardeeville gets \$205,000 and Levy gets \$250,000. Mr. Fulghum said they were looking at the tax sale properties and the Council would have to make a decision. Mr. Fulghum said there were 8 properties and 1 of the properties had potential if they were not redeemed. Mr. Daley said that he was putting a trip to Columbia together and some of the tankers are still up there to help with the flooding. Mr. Fulghum said people were needed to run the stations and Mr. Daley said the lack of volunteers is a nationwide problem. Mr. Daley said there were 35 volunteers on the roster and they may get 15 to a fire. Mr. Daley said that 10 of the volunteers were excellent. Mr. Daley said you cannot operate a station without people. Mr. Malphrus said employees can be addressed in the next budget. Mr. Daley said that Bolan Hall will donate 2 acres near County Club Road. Mr. Daley also explained where substations were needed. Vice Chairman Sauls said he wanted a definitive plan for the location of substations. Vice Chairman Sauls said we have to start somewhere and Mr. Daley said he would like to have at least 1 man at each station. Vice Chairman Sauls said he wanted a plan and he wanted the land owners identified. Vice Chairman Sauls said this has to be done as a team working together to get this going. Mr. Fulghum addressed alternative funding options including Capitol Project Sales tax and he asked the Council for guidance if they wanted him to move forward. It was the consensus of the Council to move forward. Mr. Fulghum said he would work with the attorneys and that a 6 member committee was needed. Mr. Fulghum said he would bring all the options back to Council. Mr. Fulghum discussed the DSS Building and said a new metal roof was being installed and they are going to need additional space. Mr. Fulghum said he was also checking into grant funding for the DSS Building. The workshop ended at 4:40 p.m.

Call to Order- Chairwoman Clark called the meeting to order at 5:30 p.m.

Executive Session – Council Conference Room

Section 30-4-70(a)(5) - Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other business in the area served by a public body – Project Gatherers, AS/R Systems Inc. and Section 30-4-70(a)(2) - Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim – 1295 Grays Highway, Intergovernmental Agreement-Building Inspections, Bees Creek Project and Section 30-4-70(a)(1)- Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body- Planning and Building Services- Vice Chairman Sauls moved and Councilman Drayton seconded the motion to go into executive session for the discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other business in the area served by a public body – Project Gatherers, AS/R Systems Inc. and discussion of

negotiations incident to proposed contract arrangements and proposed purchase or sale of property, receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim – 1295 Grays Highway, Intergovernmental Agreement-Building Inspections, Bees Creek Project and discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body- Planning and Building Services. The motion carried with all members present voting in favor.

Return to Open Session - Vice Chairman Sauls moved and Councilman Drayton seconded the motion to return to open session.

Pledge of Allegiance- Councilman Drayton led the Pledge of Allegiance.

Invocation – Vice Chairman Sauls gave the invocation.

Approval of Agenda - Vice Chairman Sauls moved and Councilman Drayton seconded the motion to approve the agenda. The motion Carried with all members present voting in favor.

Approval of the minutes for the 9/21/2015 - Councilman Drayton moved and Vice Chairman Sauls seconded the motion to approve the minutes of the 9/21/2015 Council Meeting. The motion carried with all members present voting in favor.

Presentation and Proclamations - Chairwoman Clark – October Breast Cancer Awareness Month- Mr. Fulghum read the proclamation. Vice Chairman Sauls moved and Councilman Drayton seconded the motion to pass the proclamation that October be Breast Cancer Awareness Month in Jasper County. The motion carried with all members present voting in favor.

Ordinances

David Tedder – Public Hearing and 3rd Reading of the Ordinance to Convey Property to Okeetee Club for Communications Tower – Chairwoman Clark opened the public hearing. There were no comments. Chairwoman Clark closed the public hearing. Councilman Johnson moved and Vice Chairman Sauls seconded the motion that this be the Public Hearing and 3rd Reading of the Ordinance to Convey Property to Okeetee Club for Communications Tower. The motion carried with all members present voting in favor.

David Tedder –Public Hearing and 3rd Reading of the Ordinance to Lease Property at Sgt. Jasper Park to Roland Allen Bob dba Kayninja - Chairwoman Clark opened the public hearing. There were no comments. Chairwoman Clark closed the public hearing. Mr. Tedder said that Mr. Allen asked that the starting date be March 1, 2016. Vice Chairman Sauls moved and Councilman Drayton seconded the motion to amend the ordinance with a starting date of

March 1, 2016 and that this be the Public Hearing and 3rd Reading of the Ordinance to Lease Property at Sgt. Jasper Park to Roland Allen Bob dba Kayninja. The motion carried with all members present voting in favor.

David Tedder – Public Hearing and 3rd Reading of an Ordinance to authorize Jasper County to enter into a Lease Agreement with the Jasper County Chamber of Commerce and the Jasper County Historical Society for the use of the Perry House located at 403 Russell Street in Ridgeland, South Carolina as their offices and a museum – Mr. Tedder said there were no changes since the 2nd reading. Vice Chairman Sauls recused himself since he is president of the Chamber. Chairwoman Clark opened the public hearing. There were no comments. Chairwoman Clark closed the public hearing. Councilman Drayton moved and Councilman Johnson seconded the motion that this be the Public Hearing and 3rd Reading of an Ordinance to authorize Jasper County to enter into a Lease Agreement with the Jasper County Chamber of Commerce and the Jasper County Historical Society for the use of the Perry House located at 403 Russell Street in Ridgeland, South Carolina as their offices and a museum. The motion carried with all Chairwoman Clark and Councilmen Drayton, Etheridge and Johnson voting for.

Andrew Fulghum – 2nd Reading of an Ordinance authorizing the transfer of New Hardeeville Library Site Property to the City of Hardeeville – Mr. Fulghum explained that the County agreed to transfer the property to the City of Hardeeville for the new Hardeeville Library. Councilman Drayton moved and Vice Chairman Sauls seconded the motion that this be the 2nd Reading of an Ordinance authorizing the transfer of New Hardeeville Library Site Property to the City of Hardeeville. The motion carried with all members present voting in favor.

David Tedder- 1st Reading of an Ordinance to amend Ordinance 2015-24 authorizing the transfer of property to AS/R Systems, Inc. (by title only) - Mr. Tedder explained that this was being done due to the owner changing the name of the company. Councilman Drayton moved and Councilman Johnson seconded the motion that this be the 1st Reading of an Ordinance to amend Ordinance 2015-24 authorizing the transfer of property to AS/R Systems, Inc. (by title only). The motion carried with all members present voting in favor.

David Tedder – 1st Reading of the Ordinance to amend Ordinance 2015-20 regarding the MCIP for AS/R Systems, Inc. (by title only) - Mr. Tedder explained that this was being done due to the owner changing the name of the company. Councilman Drayton moved and Vice Chairman Sauls seconded the motion that this be the 1st Reading of the Ordinance to amend Ordinance 2015-20 regarding the MCIP for AS/R Systems, Inc. (by title only). The motion carried with all members present voting in favor.

David Tedder – 1st Reading of the Ordinance to amend Ordinance 2015-21 regarding the FILOT with AS/R Systems, Inc. (by title only) - Mr. Tedder explained that this was being done due to the owner changing the name of the company. Councilman Drayton moved and Vice Chairman Sauls seconded the motion that this be the 1st Reading of the Ordinance to amend

Ordinance 2015-21 regarding the FILOT with AS/R Systems, Inc. (by title only). The motion carried with all members present voting in favor.

Ronnie Malphrus – 1st Reading of the ordinance authorizing the acquisition of certain radio and dispatch equipment by Jasper County by lease-purchase financing in the amount of not exceeding \$905,051.18; the execution and delivery of certain instruments, including a lease-purchase agreement by Jasper County; and other matters relating thereto (by title only) – Mr. Malphrus explained that the purchase of the radios and dispatch equipment was to come in-line with the standards. Mr. Malphrus said the total cost was approximately \$1,400,000 and the budget included \$500,000 and the balance would be paid for with a lease purchase with Motorola in the amount of \$936,618.14. Vice chairman Sauls moved and Councilman Drayton seconded the motion that this be the 2nd reading of the ordinance authorizing the acquisition of certain radio and dispatch equipment by Jasper County by lease-purchase financing in the amount of not exceeding \$936,618.14; the execution and delivery of certain instruments, including a lease-purchase agreement by Jasper County; and other matters relating thereto. The motion carried with all members present voting in favor.

LeNolon Edge- Public Hearing and 2nd Reading Ordinance regarding to amend the Jasper County Zoning Ordinance, as amended, to add Solar Electric Power Generation as a conditional use in all Zoning Districts; to amend Article 6:1, Table 1; and to add conditions to Article 11:7 as 11.7.5B. – Mr. Edge explained that the ordinance is not the same as the ordinance presented at the 1st reading because the Planning Commission wanted some minor changes. Councilman Drayton asked this ordinance only applied to residential areas and Mr. Edge said that it applied to all zoning areas, but it did not apply to solar farms. Councilman Johnson asked if section 11.7.6 prohibited solar systems for something that does not generate electricity. Mr. Edge said it did not apply to solar lights. Councilman Johnson asked if 7-A, B, D, and F were for aesthetic reasons or for an engineering purpose. Mr. Edge said that A was for aesthetic reasons and safety and D was a height requirement. Mr. Tedder added that they were added for aesthetic and health reasons and they were included until the staff was told otherwise. Chairwoman Clark opened the floor to the public. Ms. Schafer from the Conservation League discussed the benefits of solar energy. Being no further comments, Chairwoman Clark closed the floor to the public. Vice Chairman Sauls moved and Councilman Drayton seconded the motion that this be the Public Hearing and 2nd Reading Ordinance regarding to amend the Jasper County Zoning Ordinance, as amended, to add Solar Electric Power Generation as a conditional use in all Zoning Districts; to amend Article 6:1, Table 1; and to add conditions to Article 11:7 as 11.7.5B. The motion carried with all members present voting in favor.

LeNolon Edge – 1st Reading of an the Ordinance to amend the official zoning map of Jasper County so as to transfer property bearing Jasper County Tax Map Number Tax Map #062-21-01-005 located at 1295 Grays Highway (E-911 address 1125 Grays Highway) from Residential to Community Commercial- Mr. Edge explained that the owner requested the change and he provided a

map showing the location of the property. Mr. Edge said there was no community commercial property in the area and this could be considered as spot zoning. Mr. Edge said the Planning Commission recommended denial of the request. Vice Chairman Sauls moved and Councilman Johnson seconded the motion to deny the request. Vice Chairman Sauls said he knows the owners have good intentions and they are trying to do the right thing for the animals, but this is not appropriate for the neighbors. The motion carried with all members present voting in favor. Chairwoman Clark said to allow this would not be fair to the neighbors.

Resolutions

Andrew Fulghum – Resolution to Authorize the Termination of an Intergovernmental Agreement between Jasper County and the Town of Ridgeland – Mr. Malphrus said that in 2010 in order to maximize resources the County entered into an agreement with Ridgeland to do their inspections. Mr. Malphrus said that development has increased and it is causing pressure on the staff. Mr. Malphrus requested that the Council approve the resolution. Councilman Johnson moved and Vice Chairman Sauls seconded the motion to pass the Resolution to Authorize the Termination of an Intergovernmental Agreement between Jasper County and the Town of Ridgeland and to give the Town 3 months notice or earlier if agreed to by the Administrators. The motion carried with all members present voting in favor.

Old Business - None

New Business

David Tedder- Discussion of Regulations for Airborne Drones - Mr. Tedder said that Congress directed the FAA to come up with regulations by the end of September, however the regulations were not completed and now the regulations are to be completed by the end of November. Mr. Tedder said he was following the situation closely and he will bring more information to the Council after the Holidays.

David Tedder- Discussion of Subdivision Regulations for creating a greater than a 5 acre parcel Mr. Tedder explained that there are subdivisions greater than 5 acres and there is not a new road and the large rural properties have no access. Mr. Tedder said the emergency vehicles must have access and he will explore creating a local exception with certain criteria. Mr. Tedder said it would be a text amendment. Chairwoman Clark said the Council wants to keep the citizens up to date and if there is something that a citizen feels needs to be addressed, they should send it to the Council.

Andrew Fulghum – Consideration of recommendation from the JCTAC for \$14,000 additional Funds for Campground Road – Mr. Fulghum said the Transportation Committee recommended the approval of an additional \$14,000 for Campground Road. Councilman Johnson moved and Vice Chairman Sauls seconded the motion to approve the additional \$14,000 from the C-funds for Campground Road.

Committee Reports – Councilman Drayton reported that he attended the unveiling of the historical marker at Sgt. Jasper Park. **Councilman Johnson** reported he also attended unveiling

of the historical marker at Sgt. Jasper Park and it was a very impressive ceremony. Mr. Johnson said he also attended a fund raiser for the Boys and Girls Club. Councilman Johnson said he attended the big deer hunt at Chelsea Plantation. **Vice Chairman Sauls** reported that he attended the renaming of a road on Hwy. 17 in Ferebeeville and he discussed the Golf Tournament that is a fundraiser of the Chamber of Commerce. Vice Chairman Sauls said the money raised is for scholarships for each high school in the County. Vice Chairman Sauls said he attended an event at Sun City and also the Boys and Girls Fundraiser. **Chairwoman Clark** reported that she attended the Sun City Event and the dedication of the marker at Sgt. Jasper Park. Chairwoman Clark said the Council was notified two days prior to the road dedication event and the committee asked Councilman Drayton to give the introduction and they should have asked the Chairwoman.

Administrator's Report – Mr. Fulghum invited the Council to attend a race that was scheduled for Oct. 24, 2015 and he told them that he and Mr. Richardson judged the Halloween Costume Competition at the TICO family Picnic.

Open Floor to the Public- Per ordinance 08-17 any citizen of the County may sign to speak before the Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes and total public input will be limited to 30 minutes – Chairwoman Clark opened the floor to the public. **Mr. Fishbourne** said that he appreciated the support of the Council for denying the zoning change request. Mr. Fishbourne said he felt the animal shelter was a good thing, but in the wrong place. Mr. Fishbourne said it should not be located in a residential zone. Mr. Fishbourne said he has not seen any evidence that the animals will be removed by Oct. 26, 2015. Mr. Fishbourne said he hoped the Council will give proper directions to make sure the owner complies. **Barbara Solley** said she does not intend to vacate her property and she plans to place the rescued animals when homes become available. Ms. Solley said she will not vacate the property with her personal animals. Ms. Solley said that people do not live within 1,000 feet and it is a lie that the dogs bark all night. Ms. Solley said she will study her recourse and she is not leaving her home or giving up her family pets. Ms. Solley said all the animals on her property are there because they need to be taken care of and she will continue to fight. Chairwoman Clark commented that the County operates on rules and they enforce the law. Being no further comments, Chairwoman Clark closed the floor to the public.

Adjourn - Vice Chairman Sauls moved and Councilman Drayton seconded the motion to adjourn the meeting. The motion carried with all members present voting in favor.

The meeting ended at 8:50 p.m.

Respectfully submitted by:

Judith M. Frank, CCC
Clerk to Council

Approved by:

Barbara B. Clark
Chairwoman

